



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Chinery, *et al.*

Serial No.: 09/779,086

Confirmation No.: 2259

Filed: February 7, 2001

For: ANTIOXIDANT ENHANCEMENT OF THERAPY
FOR HYPERPROLIFERATIVE CONDITIONS

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Group Art Unit: 1639

Examiner: B. M. CELSA

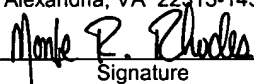
Att'y Docket: 04676.105058 CON 1

Customer No.: 20786

REQUEST FOR EXTENSION OF TIME TO RESPOND TO
OFFICE ACTION DATED FEBRUARY 25, 2004

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

CERTIFICATE OF EXPRESS MAILING	
NUMBER:	<u>EV 330779415 US</u>
DATE OF DEPOSIT:	<u>August 25, 2004</u>
I hereby certify that this paper or fee is being deposited with the U.S. Postal Service "EXPRESS MAIL POST OFFICE TO ADDRESSEE" service under 37 C.F.R. 1.10 on the date indicated above and is addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.	
 <u>08/25/04</u> Signature	

Pursuant to 37 C.F.R. § 1.136(a), Applicant petitions for an extension of time of three months to and including August 25, 2004 in which to respond to the Office Action dated February 25, 2004.

A fee as set forth in 37 C.F.R. § 1.17 in the amount of \$475.00 is enclosed. If the enclosed check is insufficient, or if other fees are required, the Commissioner is hereby authorized to deduct such fees Pursuant to 37 C.F.R. § 1.17 from King & Spalding, LLP Deposit Account 11-0980, referencing matter number ATH 108 CON1.

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Respectfully submitted,

Monte R. Rhodes

Monte R. Rhodes, Ph.D.

Reg. No. 54,396

Customer No. 20786

AGENT FOR ASSIGNEE,
ATHEROGENICS, INC.

King & Spalding, LLP
191 Peachtree Street
Atlanta, GA 30303-1763
(404) 572-2574

August 25, 2004
Date

Serial No.: 09/779,086

Certificate of Mailing for 8/25/04 Response to Office Action

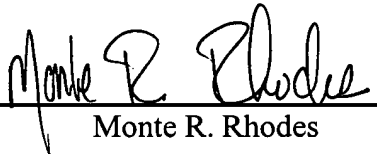


CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.10

Number: **EV 330779415 US**

Date of Deposit: **August 25, 2004**

I hereby certify that this RESPONSE TO OFFICE ACTION, CHECK FOR \$475.00, and RETURN RECEIPT POSTCARD, along with any documents referred to as attached herein are being deposited with the United States Post Office in an Express Mail, "EXPRESS MAIL POST OFFICE TO ADDRESSEE" envelope on the date indicated below, addressed to MAIL STOP AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



Monte R. Rhodes

Date: August 25, 2004